

Hylan Accused Of Aiding Ring In Meter Grab

(Continued from page one)

count, while the exchange firms charge \$20, with a 30 to 40 per cent discount. It really amounts to twice as much as we charge. Ours is just as efficient as theirs and has been approved in every way by Water Department engineers as prescribed under the rules and yet it can't get into the city after an effort of two and one-half years."

Under the city charter, it was explained, the meters must finally be approved by the Board of Aldermen before licensed plumbers are permitted to install them.

"I began trying to get our machine into the city in June, 1919," the witness said. "Several of our meters had long before been submitted for approval to Colonel Merritt H. Smith, chief engineer for the Department of Water Supply, Gas and Electricity. They were approved in July, 1919, and letters to this effect were sent to me by Nicholas P. Hayes, commissioner of the department."

Letters dated July 2 and 17 and September 6 and 11 passing between the Commissioner and Cetti were submitted in evidence.

In the same month Commissioner Hayes informed Cetti that the matter had been sent to the Board of Aldermen and the Commissioner's recommendation appeared in the calendar of the board on November 25, 1919.

On that date, when the matter was introduced for action before the committee on public buildings, said Cetti, of which Kennelly was chairman.

"I wrote to Kennelly twice about the matter," said Cetti, "but nothing was ever done."

meters in New York City object to a meter coming into this city manufactured outside of New York City, as if they were to look for business in other cities they would not get the chance."

"What did you say?"

"I said to him: 'In all my career in traveling never has a New York City made meter been discriminated against anywhere in the United States. As a matter of fact, I told him that only three of the eight manufacturers in the water meter exchange were New York firms, and that they had the bulk of the business not only in this country but also in foreign countries. The other five are scattered all over the country. Surely, alderman, you would not stand in the way of our meter after it has stood the endurance test and met every legal requirement. This should be a strictly business proposition and passed on its merits.'"

"He replied to me," went on Cetti, "it is not on its merits at all. You are one of those fellows who refuse to listen to reason and now you won't get it at all, and I don't care who asks for it."

"What did he mean by 'listening to reason'?" queried Mr. Untermyer.

"I don't know."

"And yet you told him that five of the makers in the exchange were outside the city?"

"Yes."

"Well, what happened to your resolution?"

"It was never reported out by Kennelly and it just died in committee."

"What did you do next?"

Appealed to Mayor

"I appealed to the Mayor, explaining the situation, some time early in 1920. Letters of Cetti to the Mayor and those received in reply were submitted in evidence.

Cetti, in his letters to Hylan complained of his treatment by Kennelly and asked for a square deal in having the meters judged on their merits.

On January 26, 1920, Cetti received a letter from the Mayor saying that the latter had written Kennelly on the matter requesting that the matter be given consideration on its merits.

Cetti said that by this time he was becoming disgusted and finally decided to have Mayor Robert Starr Allyn, the Alderman in his—46th—district, re-introduce the matter before the Board of Aldermen. Allyn did this and the matter was at once referred by F. H. La Guardia, President of the board, to the General Welfare Committee, of which the Democratic leader, William T. Collins, was chairman.

"I asked Collins for a hearing," said Cetti. "The hearing was held on April 8. Several questions were put to me, which I evidently answered to their satisfaction, and Mr. Collins said: 'I am satisfied your meter is on the level and I am for it, and shan't keep you out any longer.'"

"Then you went home?"

"Happy."

"How long did you stay happy?"

"Two days. In some way it appeared in The City Record that the resolution approving the Badger meter for New York City was referred back to the Board of Aldermen as a whole without any recommendations."

"But nobody had appeared against it in the committee, had they?"

"Nobody, so far as they could be seen."

Cetti then told how the board had met on April 20, and how the resolution was voted down.

"It was voted down by a full Democratic vote of 36 to 26 Republicans," he testified. "Alderman Beckerman got up and said it was absolutely untrue that the measure had been voted down by the board as a whole, without recommendations; that he voted favorably for it in the Welfare Committee and it was about time that this forgery would cease."

Called It Forgery

"Did he call it forgery?"

"Yes. Alderman Bostwick reiterated the same remark and said it had been voted on favorably by the committee."

"Nobody disputed these remarks, did they?"

"No. It was put to a vote and killed. Not a thing was said about the merits of the meter."

"Did any one suggest it should become a political issue?"

"I do not remember that. I remember that Alderman Allyn said he thought that Tammany Hall had been seen in the matter and wanted to know if any instructions had been sent out. Another man, a Mr. O'Rourke, said something for the Democratic side about 'they weren't made in New York.' I knew it was killed, but I didn't know why."

Cetti said that he then wrote to Mr. La Guardia and to the Mayor, protesting against the action of the board.

He offered letters to the Mayor and his reply in evidence. Cetti made his complaint to the Mayor after referring to a headline in a newspaper reading: "Mayor Pledges Continued Vigil for People's Rights." In the course of one of his letters to the Mayor he said:

"It was charged by several members of the Committee on General Welfare that the original favorable report decided upon on April 8, 1920, approving the Badger meter, was tampered with. On top of that party politics were resorted to on the Democratic majority side of the house to defeat the measure and the absolute merit of the case was knocked to the four winds of the earth. I appeal to you as Mayor for justice and a square deal. A special message from you to the Board of Aldermen will solve the problem."

The Mayor at first replied that the matter was again referred to Commissioner Hayes for reconsideration. A little later he got another letter from the Mayor, in which he merely sent along what Commissioner Hayes had said, to the effect that nothing more could be done by the commissioner in the matter.

"And is that all you got from the Mayor?"

"Yes."

"What did you do next?"

Sought Interview With Hylan

"I went back and tried to get an interview with the Mayor."

"Well, how did you succeed?"

"Well, his honor finally came out and asked if there was anybody there to see him and Mr. Sinnott kindly introduced me to him. He said: 'What can I do for you? I have no jurisdiction over the Board of Aldermen. I am powerless. I don't mix in their affairs and they don't mix in mine.'"

"Well," I said, "I thought you could chief magistrate of the city for a square deal."

"He said: 'What do you mean by a square deal?'"

"I said, 'I thought you could help me.'"

"He said: 'Well, now, I will speak to Alderman Kennelly only in a kindly way to see what I can do for you, but I won't promise anything. Just as soon as he hears anything he would let me know, but I never received anything.'"

"What did you do next?" asked Mr. Untermyer.

"Well, my intuition led me to the conclusion that the water works test was sufficient in other large cities and so I sought legislation to break through the bars here. I went to Albany in an effort to have the power taken from the Board of Aldermen to pass on the meters and have it put into the hands of the chief engineer of the Department of Water Supply, Gas and Electricity, as it is in other cities."

Mayor Vetoes Bill

"I had a bill introduced by Assemblyman James F. Bly, of the 11th District, in which I live. I thought it was pretty hard to be deprived of a living in your home town. The bill was known as Assembly bill 590. It was passed by both houses, and being a local bill was sent to the Mayor for approval."

"What happened to the bill?" asked Mr. Untermyer.

"Yesterday morning I went down to the Mayor's office, inquiring what happened to Assembly bill 590, and the lieutenant standing at the Mayor's door asked me if this pertained to water meters, and I said, yes. He went into the Mayor's office and came out later and told me it was disapproved."

"And that is where you stand just now, is it?" questioned Untermyer.

"Was there a hearing on the bill before the Mayor put his disapproval on it?"

"Yes, Wednesday of last week. It was the first bill called on the calendar."

"Well, my intuition led me to the conclusion that the water works test was sufficient in other large cities and so I sought legislation to break through the bars here. I went to Albany in an effort to have the power taken from the Board of Aldermen to pass on the meters and have it put into the hands of the chief engineer of the Department of Water Supply, Gas and Electricity, as it is in other cities."

I spoke in favor of it. Nobody spoke in opposition to it and the Mayor said nothing by way of disapproval of it. He listened to what I had to say very intently."

"There was nobody from the Board of Aldermen to oppose it, was there?"

"Not that I know of. It certainly was done publicly," replied Cetti with a smile.

The Mayor's chief clerk, John J. Glennon, then testified he had charge of all bills coming before the Mayor and that he had received Bill 590 on April 11 and transmitted it to the Mayor on April 12. He testified to an entry in his bill book that the bill had been disapproved on April 23, last, and that he had no memorandum accompanying the bill when it was returned to Albany, as is usually the case, giving the reasons for the disapproval. It was merely marked, he said, "Disapproved."

Approved by 8 Out of 10

Alderman Allyn then testified to speaking before the Welfare Committee on the Badger meter resolution and how it had been approved by eight out of the ten members of the committee, the other two not having voted on the matter.

"In the minutes issued later in the resolution," said Allyn, "it didn't say what happened to the bill, but it bore the signatures of the eight members approving it. It got to the Board of Aldermen it appeared in the Journal entry as though it had not been reported favorably. I knew that was not a truthful record of the entry. The Journal then denied the alteration."

"Bostwick got up and said he wouldn't stand for any such forgery."

"Collins then got up and said, 'I'll give you a taste of your own medicine.' I turned thumbs down when it came to a vote. I then knew that the only explanation of the matter could be found in the Water Meter Manufacturers' Exchange and possibly in a certain politician."

Allyn here said that in the course of the argument with Kennelly on the matter he invited the latter outside the Aldermanic Chamber and that they both repaired to an adjoining room to fight when they were parted by other Aldermen.

Colonel Smith, the chief engineer for the Water Supply Department, then testified to the accuracy of Cetti's story about the approval of the Badger meter. He said it was as good as any on the market, and was cheaper. He said there were sixteen meters made by the eight members of the Water Meter Exchange, and that up to this moment they were the only ones allowed to be installed in this city. He said that application for tests had been made by the Gammon company for some of their meters, that they had been approved and were about to be recommended by the board for adoption.

To Hear City Officials

Mr. Untermyer announced that the committee would be glad to hear from Kennelly, or any of the other city officials who were involved in the disclosures, when it resumes its hearings Tuesday morning in City Hall.

Mayor Hylan last night issued the following statement in connection with the matter:

"Mr. Untermyer was quoted by the press as making the following statement before the Lockwood committee, 'That Mayor Hylan had vetoed a bill designed to break up a graft-taking and extorting monopoly.'"

"So that the public may know the true facts, and not be misled by Mr. Untermyer's innuendoes, here are the facts:

"The so-called water meter bill, amending Section 475 of the city charter, had for its purpose the taking of the power at present lodged in the Board of Aldermen, composed of sixty-seven members and five borough presidents, elected by the people, and placing the arbitrary power of approval in the hands of one man, the chief engineer of a department under my jurisdiction. In my judgment, no such arbitrary power should be lodged in any one man. Therefore, the veto."

It has been understood that if the Mayor made any statement before appearing voluntarily before the committee in defense of his position, he probably would be subpoenaed to appear as a witness.

The following is a list of the water meter firms in Allynworth's exchange, which alone are permitted to do business in New York City:

The American Meter, manufactured at Buffalo.

The Hersey Meter, manufactured by the Hersey Company.

The Keystone meter, manufactured by the Pittsburgh Meter Company.

The Nash meter, manufactured by the National Meter Company, which is said to have resigned recently from the exchange.

The Thomson meter, manufactured by the Thomson Company.

The Triden meter, manufactured by the Neptune Meter Company.

The Union meter, manufactured by the Union Meter Company.

The Worthington meter, manufactured by the Worthington Pump and Machinery Company.

Wage Cut in Philadelphia

Employers Name Committee to Treat With Unions

PHILADELPHIA, April 23.—Unanimous decision was reached to-day by the employers in all the building trades of Philadelphia to reduce the wages of 85,000 workers 25.0 per cent, or from an average of \$1.16 to 88 cents an hour, on May 1.

The builders adopted the lower scale in accord with the report of their committee of twenty-three, headed by Edward J. Flannery. Future negotiations with the unions, which have refused to accept the new scale on the ground

that they were not consulted in the framing of it, are left in the hands of the committee. The employers, however, expressed themselves as willing to continue the negotiations, which have been in progress for three months without result.

Panama Row in Commons

Question Raised Whether Peace Treaty Was Violated

LONDON, April 23.—Asked in the House of Commons to-day whether Costa Rica and Panama had not violated Article 12 of the covenant of the League of Nations, and whether measures should not be taken against them under Article 16, Cecil B. Harmsworth, Under Secretary for Foreign Affairs, replied that the two countries "having sought the mediation of the United States," there was no breach of obligations as members of the league, and that the question of action by other members of the league under Article 16 therefore did not arise.

The questioner, Christopher W. Low, then, independent, retorted: "What is the use of Article 16 when it can so easily be broken by two of the smallest states in the world?"

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Storm Holds Up Gar II Jr.: Hope to Resume Trip To-day

A heavy storm which has been sweeping the Virginia coast since early Wednesday evening prevented the Gar II Jr. from leaving Hampton yesterday. The fast speed cruiser which started a race up the Atlantic coast last Sunday night in an effort to beat the running time of the Key West-New York flyer, according to dispatches received here last night, will resume her journey at dawn to-day if the storm has abated sufficiently.

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3 pair 7.45	3 pair 7.60

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